

Remarks

Claims 1-20 are pending in this application and are subject to a restriction requirement under 35 U.S.C. 121.

Restriction is required to Group I claims 1-11 and 18-20, or Group II claims 12-15 or to Group III claims 16 and 17.

The applicant hereby elects the Group I claims 1-11 and 18-20 for consideration and examination.

Claims 12-15 are cancelled.

Claims 16 and 17 are withdrawn.

The examiner has stated in the office action that inventions I and II are related and product and process of use.

The office action further states that in the instant case Group III invention can be used as an Add/Drop filter in a WDM communication system rather than a spectrum analyzer in Group I and/or Group II invention.

The application respectfully traverses this argument.

Claim 1 defines a spectrum analyzer. Claim 3 defines a method of providing wavelength information related to a multichannel signal having a plurality of wavelengths. Subsequent steps of launching a multiplexed signal into the device to yield a periodic signal wherein a first group of channels are discernable from others. A further step of detecting with an array of detectors information related to the group channels. This is repeated after tuning a tunable filter for a second group of channels.

In summary a multiplexed signal is launched into the device and spatially separated channels are obtained (demultiplexing step) and are provided to an array of detectors. A same array detects a second set of channels and corresponding wavelengths.

This is not in the applicant's view an add/drop filter in a communication system, but defines a spectrum analyzer. A device which detects information related to individual demultiplexed channels. An add drop filter selectively adds and drops desired channels. This device has a full set of channels launched in and provides a first set of channels to a same bank as a second set, sequentially, wherein the destination is a same bank of detectors for detecting wavelength information. This functionality is not provided by an add/drop filter but is provided by the spectrum analyzer defined in this application.

The applicant has therefore withdrawn Group III claims from consideration but respectfully requests that the examiner consider these claims as being directed to the same invention as the Group I claims.

Applicant respectfully requests reconsideration of this application. Early and favorable consideration would be appreciated.

Should any minor informalities need to be addressed, the Examiner is encouraged to contact the undersigned attorney at the telephone number listed below.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No: 50-1465.

Please associate this application with Customer No: 24949.

Respectfully,



Neil Teitelbaum
Regn No: 38,793

Customer No: 24949

Teitelbaum & MacLean
Registered Patent Agents Limited
1187 Bank St, Suite 201
Ottawa, Ontario K1S 3X7
Canada

Tel: (613) 523-3784 Ext. 100
Fax: (613) 523-6799
Email: neil.teitelbaum@jdsu.com
nt@patents.org

NT/ara